

Remarks

Applicant has amended independent claim 5 to recite that in a method for optimizing the maintenance of assets and production a maintenance schedule is defined in real time for the maintenance action in response to the acquired at least one maintenance trigger.

Applicant has amended independent claim 10 to recite that in a method for optimizing the maintenance of assets and production a period of time in a production schedule to perform the maintenance action is requested in real time in response to the acquired at least one maintenance trigger.

Applicant has amended independent claim 19 to recite in subparagraph (a) that a maintenance scheduling system responds to at least one maintenance trigger to define in real time a maintenance schedule for the maintenance action. Applicant has also amended subparagraphs (a) and (c) to correct an obvious and inadvertent error therein.

Applicant has amended independent claim 21 to recite in subparagraph (b) that a maintenance scheduling system responds to at least one maintenance trigger to generate in real time a request for a period of time in the production scheduling system to perform the maintenance action.

These amendments to independent claims 5, 10, 19 and 21 do not introduce new matter as they are fully supported by the application as filed at page 6, lines 20-23.

Applicant has amended the Summary of the Invention so that it is consistent with the amendments made herein to independent claims 5, 10, 19 and 21.

The Rejection of the Claims Under 35 U.S.C. 103(a)

The Examiner has rejected claims 5-15 and 19-22 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,053,970 (Kurihara et al.). Applicant respectfully points out to the Examiner that after entry of the October 24, 2004 Amendment this application had claims 5-16 and 19-22 and therefore in this response applicant will refer to those claims.

Regarding independent claims 5 and 10 the Examiner says that Kurihara et al. discloses with reference to Fig. 8 a method for optimizing the maintenance of assets. The Examiner also says that Kurihara et al. does not positively disclose having a maintenance trigger indicative but does, with reference to Fig. 4, disclose having a maintenance scheduling period. The Examiner says that the schedule period can in very broad meaning be a maintenance trigger indicative.

Regarding the rejection of independent claims 19 and 21 and claims 20 and 22 dependent thereon the Examiner gives reasons and refers to Fig. 3 but applicant does not understand the Examiner's reasons for the rejection and requests clarification.

The work schedule system of Kurihara et al. shown in Fig. 1 does have a device 1 that extracts a characteristic quantity based on information from several files including a file 6 that has stored therein constraints. The constraints include maintenance jobs. Yet there is nothing in Kurihara et al. that teaches, discloses or even suggests that the system of Kurihara et al. has a real time action in response to a maintenance job constraint. A word search of the text of Kurihara et al. does not find the words "real time".

Even if the schedule period of Kurihara et al. can as said by the Examiner be given the broad meaning of a maintenance trigger indicative that a maintenance action is or may be required for one at least one of the assets, applicant cannot find any teaching, disclosure or even suggestion in Kurihara et al. that in response to the schedule period there is the real time action called for in amended independent claims 1, 10, 19 and 21.

Therefore, applicant submits that the method called for in amended independent claims 1 and 10 and the apparatus called for in amended independent claims 19 and 21 and the claims dependent thereon are not obvious based on that which is taught, disclosed

10/036,264

or even suggested by Kurihara et al. and requests reconsideration of the rejection of the claims under 35 U.S.C. 103(a).

Reconsideration of the application in accordance with Rules 111 and 112 is requested.

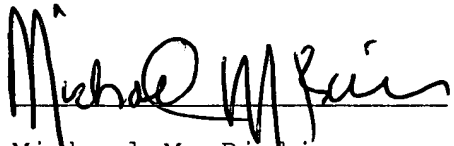
Petition and Fee For Extension of Time

Applicant also includes herewith a Petition and Fee For Extension of Time asking that the period to respond to this Action be extended to six months from the date of the mailing of the Action viz.; July 11, 2005 as July 10, 2005 is a Sunday. As is set forth in the Transmittal Letter to which this Amendment is attached the required fee is to be charged to Deposit Account No. 05-0877.

Respectfully submitted,

Date:

7/8/05



Michael M. Rickin
Reg. No. 26,984
Attorney for Applicant
ABB Inc.
29801 Euclid Avenue
Wickliffe, OH 44092-2530
(440) 585-7840

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on the 8th day of July, 2005.

Respectfully,



Date:

July 8, 2005